

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

CONSUMER FINANCIAL)	
PROTECTION BUREAU,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:14-cv-00789-SRB
)	
RICHARD F. MOSELEY, SR., et al.,)	
)	
Defendants.)	

ORDER

Before the Court is the Seventh Interim Application of Receiver for Order Approving Fees and Expenses (Doc. 197) for the five-month period December 1, 2017, through June 6, 2018. Thomas W. McNamara was first appointed Temporary Receiver by a Temporary Restraining Order (“TRO”) filed September 9, 2014 (Doc. 8), which appointment was confirmed, and the temporary designation removed, by the Stipulated Preliminary Injunction (“Preliminary Injunction”) entered October 3, 2014 (Doc. 40).

The Preliminary Injunction provides for the continuation of the receivership over the Receivership Defendants with the full power of an equity receiver. Section XV(I) of the Preliminary Injunction expressly authorizes the Receiver to:

“Choose, engage, and employ attorneys, accountants, appraisers, and other independent contractors and technical specialists, as the Receiver deems advisable or necessary in the performance of duties and responsibilities under the authority granted by this Order[.]”

Section XIX of the Preliminary Injunction further provides for the compensation of the Receiver and his professionals as follows:

“...the Receiver and all personnel hired by the Receiver as herein authorized, including counsel to the Receiver and accountants, are entitled to reasonable

compensation for the performance of duties under this Order, and for the cost of actual out-of-pocket expenses incurred by them, from the assets now held by or in the possession or control of, or which may be received by, the Receivership Defendants. The Receiver is expressly authorized to retain Ballard Spahr, a firm of which he is a partner. The Receiver will file with the Court and serve on the parties periodic requests for the payment of such reasonable compensation, with the first such request filed no more than sixty (60) days after the date of this Order. The Receiver may not increase the hourly rates used as the bases for such fee applications without prior approval of the Court.”

The Court has reviewed the Receiver’s Declaration and supporting documents, and is satisfied with the Application. Accordingly, the Seventh Interim Application of Receiver for Order Approving Fees and Expenses (Doc. 197) is GRANTED and payment of the following requested amounts for fees and expenses is approved:

- a) \$7,393.40 fees to the Receiver and his staff, payable to TWM Receiverships, Inc. dba Regulatory Resolutions;
- b) \$74,721.60 fees and \$13,361.60 expenses to counsel McNamara Smith LLP;
- c) \$2,255.00 fees to special trial counsel Charles G. La Bella;
- d) \$7,040.00 fees to local counsel Bartle & Marcus;
- e) \$6,420.00 fees to expert Gupta Wessler PLLC; and
- f) \$85,000.00 fees to tax accountants Squar Milner, LLP.

IT IS SO ORDERED.

/s/ Stephen R. Bough
JUDGE STEPHEN R. BOUGH
UNITED STATES DISTRICT COURT

DATED: July 2, 2018